

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**GILBERT GOMEZ, JR.,
JESUS AGUIRRE,
GILBERT GOMEZ, SR.,
MONICA GOMEZ and
MARTIN GOMEZ,**

Defendants.

8:16CR63

ORDER

This matter is before the court on the motion to continue by defendant Monica Gomez (Gomez) (Filing No. 86). Gomez seeks a continuance of the trial scheduled for August 29, 2016. Gomez's counsel represents that government's counsel would have no objection to the motion. Upon consideration, the motion will be granted. **Trial will be continued as to all remaining defendants awaiting trial.**

IT IS ORDERED:

1. Gomez's motion to continue trial (Filing No. 86) is granted.
2. Trial of this matter **as to all remaining defendants awaiting trial** is re-scheduled for **October 11, 2016**, before Senior Judge Joseph F. Bataillon and a jury. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendants in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **August 19, 2016, and October 11, 2016**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendants' counsel require additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 19th day of August, 2016.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge